

# NOTICE OF EMERGENCY RULE-MAKING

AGENCY: Department of Marine Resources  
STATUTORY AUTHORITY: 12 M.R.S. §§6172, 6192, 6193 & 6194  
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## BASIS STATEMENT

The Commissioner of the Maine Department of Marine Resources amends the emergency DMR Chapter 95.06(A), Area No. 21-C, Back River and Montsweag Bay (Woolwich, Wiscasset, Westport Island), amended on March 24, 2009. This amendment reclassifies a portion of Montsweag Brook (Woolwich and Wiscasset) from prohibited to approved, due to a recent review of water quality data and water quality meeting the approved standard. The head of Montsweag Brook remains classified as prohibited, until a more complete assessment of the stream that drains into Montsweag Brook can be completed. All existing pollution and red tide/psp closures remain in effect. As authorized by 12 M.R.S. §§6172, 6192, 6193 & 6194 the Commissioner of Marine Resources adopts emergency amendments to Chapter 95.06(A).

**RULE TITLE AND SUBJECT:** DMR Chapter 95.06(A), Area No. 21-C, Back River and Montsweag Bay (Woolwich, Wiscasset, Westport Island), amended on March 24, 2009, is amended as follows:

**TITLE & TEXT OF RULE:** DMR Chapter 95.06(A), Area No. 21-C, Back River and Montsweag Bay (Woolwich, Wiscasset, Westport Island)

Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of the following areas:

- A. Back River (Wiscasset, Westport Island): south of the bridge formed by Route 144 between Wiscasset and Westport Island; AND north of a line beginning at the old ferry landing (Westport Island), then running north to the south tip of Berry Island (Wiscasset), then due west to a red painted post on the mainland (Wiscasset).
- B. Back River and Montsweag Bay (Woolwich, Wiscasset, Westport Island): south of a line beginning at the point of land beyond the end of Andrews Drive (Westport), then running northwest to the south tip of Fox Island (Wiscasset), then continuing from the northwestern tip of Fox Island due west across the cove to a red painted post located on the opposite shore; AND south and east of a line starting at the southwestern most point on Chewonki Neck (Wiscasset), then continuing south to the northernmost tip of Oak Island, and then continuing due west to a red painted post on the Woolwich shore; AND north of a line beginning at the north tip of Hockomock Head (Woolwich), then running east to the south tip of Ram Is (Woolwich), continuing east to the southernmost tip of Phipps Point (Woolwich), then continuing east to the north tip of the prominent point of land at the northwest side of Hubbard Point (Westport), AND north of the West Shore Rd causeway (Westport Island).
- C. Upper Montsweag Brook: north of a line running from a red painted post located on the shore of a prominent point of land, located at the southwestern most point of Chewonki Campground (Wiscasset), and running due west to a prominent point of land on the Woolwich shore.
- D.G. Squam Creek (Westport Island): south of the West Shore Road causeway. This area is classified as "Restricted," and requires a special MDMR permit.

EFFECTIVE DATE: April 23, 2010

EFFECTIVE TIME: 3:00 PM

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# Maine Department of Marine Resources

## Pollution Area No. 21-C



Back River and Monsweag Bay (Woolwich, Wiscasset, Westport Island) 4/23/10

